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West Des Moines City Council Proceedings
Monday, June 12, 2017

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, June 12, 2017 at 5:30 PM. Council members present were: J. Sandager, K. Trevillyan, R. Trimble, J. Mickelson, and R. Messerschmidt.

On Item 1. Agenda. It was moved by Trimble, second by Sandager approve the agenda as presented.

Vote 17-326: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 2. Public Forum

Zachary Flick, 3516 Rollins Avenue, Des Moines, expressed concerns about ordinances that have been adopted or are being considered by other metro communities regulating massage therapy businesses with the intention of deterring human trafficking. He believes these ordinances would be detrimental to legitimate massage therapy businesses but likely would not do much to deter human trafficking. He requested that the City of West Des Moines take his concerns into consideration when determining how to proceed with such an ordinance, and he offered to meet with city staff on the issue to assist in developing an ordinance.

On Item 3. Council/Manager/Other Entities Reports:

Greg Hansen, Superintendent of Recreation, provided a report on the 2017 Mayor's Bike Ride, which was held on Saturday, May 13th. Mayor Gaer then presented a \$200 prize to representatives from Westridge Elementary for winning the Mayor's Bike Ride Elementary School Challenge. Mayor Gaer also presented the Mayor's Cup trophy to Hy-Vee, Inc. for its participation in the Mayor's Bike Ride.

Sally Dix, Executive Director of Bravo Greater Des Moines, thanked the City for its support and presented an update of the organization's activities.

Greg Edwards, President and CEO of the Greater Des Moines Convention and Visitors Bureau, gave an update on his organization's activities over the past year, stating it brought approximately \$76.4 million in economic impact to the Des Moines metro during 2016. He also noted 127 events during the past year utilized hotels in West Des Moines, bringing an economic impact of approximately \$17 million to the community.

Council member Mickelson reported he attended a meeting of the Public Safety Subcommittee, where discussion was held on plans for the Solheim Cup, which will take place in West Des

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Moines from Monday, August 14th to Sunday, August 20th. He noted staff plans to close Jordan Creek Parkway, between University Avenue and Lake Drive for the duration of that event. He also reported he is a member of the State Historical Society of Iowa Board of Trustees, and that organization has invested in an RV to travel around the state and promote Iowa history. He noted West Des Moines Firefighter John Carlson serves as the driver of that RV.

Council member Messerschmidt reported he attended the “Art on the Trail” grand opening event on Saturday, June 3rd. He also participated via telephone in a meeting of the Polk County Housing Trust Fund, at which the FY 2017-18 budget was approved.

On Item 4. Consent Agenda.

It was moved by Messerschmidt, second by Sandager to approve the consent agenda as presented.

- a. Approval of Minutes of May 30, 2017 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 - 1. Fordad, Inc., d/b/a Cattoor’s on Grand, 1306 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 2. Cyd’s Catering, LLC d/b/a Cyd’s Catering, 1025 Ashworth Road - Class LC Liquor License with Catering Privileges - New
 - 3. Decades, LLC d/b/a Decades, 1208 Grand Avenue - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
 - 4. Bonsai Food Management, LLC d/b/a Dino’s Bar & Grill, 5962 Ashworth Road - Class LC Liquor License with Sunday Sales - New
 - 5. Wesley Retirement Services, Inc. d/b/a Edgewater, A Wesley Active Life Community, 9225 Cascade Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Services - Renewal
 - 6. Family Promise of Greater Des Moines d/b/a Family Promise of Greater Des Moines, 4700 Westown Parkway - 5-Day Class BW Permit with Outdoor Service - Effective June 16-20, 2017
 - 7. OSI/Fleming’s, LLC, d/b/a Fleming’s Prime Steakhouse & Wine Bar, 150 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 8. P. F. Chang’s China Bistro, Inc., d/b/a P. F. Chang’s China Bistro, 110 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 9. Boggs Properties, LLC d/b/a Sully’s Irish Pub, 110 Grand Avenue - Transfer Location Permanently to 860 1st Street (effective July 1, 2017)
- d. Approval of Cigarette/Tobacco Permits
- e. Approval of Extended Sound Permits:
 - 1. Nature Lodge Wedding, June 30, 2017

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2. 424 Ashworth Road Private Party with Outdoor Music, July 15, 2017
- f. Approval of Special Event Lane Closures - Independence Day Parade, July 3, 2017
- g. Approval to Sell Surplus City Equipment
- h. Approval of License Agreement - ESRI
- i. Acceptance of Donated Funds from Microsoft Corporation (through the West Des Moines Community Enrichment Foundation)
- j. Approval of Amendment #1 to Professional Services Agreement - City Hall Exterior Renovations
- k. Approval of Change Order #10 - South 60th Street Improvements, Phase 1
- l. Reaffirm the Previously-Approved Real Estate Transaction between the City of West Des Moines and Mark and Christina Murphy - South 60th Improvements Project
- m. Approval of Compensation - City Attorney
- n. Order Construction:
 1. 2016 Channel Repair Program
 2. Valley Junction Alley Improvements, Phase 4
- o. Accept Work:
 1. Grand Avenue Street Improvements, Phase 5
 2. Maffitt Lake Road Improvements - Veterans Parkway to South 8th Street
 3. Public Safety Station 18 HVAC Improvements
- p. Accept Public Improvements - Rogers Farm East (Sanitary Sewer)
- q. Approval and Acceptance of Condemnation Awards, Purchase Agreements, and Conveyance of Property Interests - Ashworth Road Improvements Project - Phase 1
- r. Approval and Acceptance of Purchase Agreements and Conveyance of Property Interests - Maple Grove Lift Station Project
- s. Approval to Terminate Award of Economic Development Grant and Reallocate Polk County Community Development Grant Funds

Vote 17-327: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(a) The Preserve on Grand, north and west of Grand Avenue across from the Raccoon River Park entrance - Amend the Grand Lakes Planned Unit Development (PUD) to Change the Name of the PUD, Change the Zoning of PUD Parcel B to Single Family Residential, and Amend Provisions for PUD Parcel D to Allow a Prairie to Be Established, initiated by Diligent Grand 67, LLC

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 17-328: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 17-329: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 17-330: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(b) Brody Property, immediately east/southeast of 601 Clegg Road - Rezone the Property from Office to Residential Single Family Consistent with the Comprehensive Plan Land Use Designation, initiated by Emmet Brody

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 17-331: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 17-332: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 17-333: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(c) Cascades at Jordan Creek, southwest corner of South 81st Street and Cascade Avenue - Rezone the Property to Residential Medium Density Consistent with the Comprehensive Plan Land Use Designation, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Trimble to consider the second reading of the ordinance.

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Vote 17-334: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Trimble to approve the second reading of the ordinance.

Vote 17-335: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Trimble to waive the third reading and adopt the ordinance in final form.

Vote 17-336: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(d) Raccoon River Quarries, generally located south of Raccoon River Drive and west of South 88th Street - Amend that Portion of the Planned Unit Development (PUD) Located at 10050 Raccoon River Drive (Martin Marietta Materials) to Modify the Extraction Setback on the West Side of the Property to Further Restrict Mining in Order to Better Accommodate the Future Widening of South Grand Prairie Parkway, initiated by the City of West Des Moines

It was moved by Trimble, second by Trevillyan to consider the second reading of the ordinance.

Vote 17-337: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Trevillyan to approve the second reading of the ordinance.

Vote 17-338: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trimble, second by Trevillyan to waive the third reading and adopt the ordinance in final form.

Vote 17-339: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(e) Historic West Des Moines Urban Renewal Area - Approval of Amended TIF Ordinance, initiated by the City of West Des Moines

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It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 17-340: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 17-341: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 17-342: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(f) Redevelopment Incentive Programs - Approval of Amendment to Regulatory Compliance Fund Program, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Trimble to adopt Resolution - Approval of Amendment.

Vote 17-343: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Maple Grove United Methodist Church, 9391 Ashworth Road - Amend the Comprehensive Plan Land Use Map to Designate the Property High Density Residential and Rezone the Property to Residential High Density, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 27, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 5-0, with two members absent, the Plan and Zoning Commission recommended City Council approval of the Comprehensive Plan Amendment and Rezoning request.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval of Comprehensive Plan Amendment.

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Vote 17-344: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trimble, second by Trevillyan to consider the first reading of the ordinance.

Vote 17-345: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Trevillyan to approve the first reading of the ordinance.

Vote 17-346: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Phenix, northeast corner of 7th Street between Walnut Street and Locust Street - Amend the Planned Unit Development (PUD) to Define Additional Ground to Be Retained by the City and Remove Allowances for Development of Single Family Homes, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 26, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 5-0, with two members absent, the Plan and Zoning Commission recommended City Council approval of the Rezoning request to amend the PUD parcel boundaries only, and a correspondence and petition were received which were included with the council communication.

Mayor Gaer requested staff provide an overview of this item.

City Manager Tom Hadden reported staff is recommending the playground on the south side of the Phenix building be retained and relocated to Parcel B, with Parcels B and C being kept as City-owned greenspace. This proposal would be the desired outcome for a majority of the residents in the neighborhood.

Mayor Gaer stated the Plan and Zoning Commission recommendation was to amend the PUD parcel boundaries only, but to maintain the current zoning of Parcels B and C for single-family housing. In order to proceed with the staff recommendation to rezone those parcels for greenspace, the Council would need to vote to refer the matter to the Plan and Zoning Commission for reconsideration.

Mayor Gaer asked if there were any public comments.

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Beth Wilcox, 1129 Walnut Street, Treasurer of the Historic West Des Moines Valley Junction Neighborhood Association, expressed support for the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use.

Tim Friend, 417 6th Street, expressed support for the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use.

Vicki Long Hill, 136 10th Street, expressed support for maintaining the current zoning of PUD Parcels B and C for single-family housing, as she believes there is a need for more affordable housing in West Des Moines. She noted this area is already served by American Legion Park, Wilson Park, and Holiday Park, which are all within a half-mile of the Phenix property.

Bernard Johnson, 413 6th Street, expressed support for the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use. He noted the 17 units proposed for the Phenix building would give this block a housing density comparable to all other blocks in the Valley Junction area, so any additional housing would increase the density to a higher level than the rest of the neighborhood. He also requested, if the City does retain greenspace on this property, that it be named in honor of Nellie Phenix.

Ed Engler, 128 11th Street, suggested that the Council listen to the wishes of the residents that live closest to the Phenix property.

Mayor Gaer asked if there were any additional public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Trevillyan to refer Item 6(b) Phenix PUD Amendment to the Plan and Zoning Commission for reconsideration.

Council members Messerschmidt and Sandager suggested that if PUD Parcels B and C should become greenspace, that those parcels not be referred to as a “park”.

Council member Sandager expressed support for the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use, because if those lots remain as single-family residential, it would increase the density within this block to a higher level than the rest of the neighborhood. He also noted some of the 17 units proposed for the Phenix building will be considered affordable housing.

Council member Trimble stated he also supports the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use at this time; however he noted the playground will wear out at some point in the future, and the Council at that time will have a decision to make regarding the future of those greenspace parcels.

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Council member Messerschmidt expressed support for the staff recommendation to rezone PUD Parcels B and C for greenspace and retain the playgrounds for public use, but he also acknowledged there is a need for more affordable housing in West Des Moines.

Council member Trevillyan noted there are other areas in the Historic West Des Moines area that could be developed for affordable housing, such as several vacant lots on 16th Street, between Locust Street and Vine Street.

Council member Trimble also expressed a desire to have better communication between neighborhood associations and the City during the development process for projects such as this. He noted a lack of communication during this process resulted in inaccurate information being shared.

Vote 17-347: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by Chelious, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Agreement.

Vote 17-348: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(d) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by KCL Engineering, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Agreement.

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Vote 17-349: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(e) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by Nan's Nummies, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Agreement.

Vote 17-350: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(f) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by National Forensic League. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Agreement.

Vote 17-351: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(g) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by New Silk Road, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

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It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Agreement.

Vote 17-352: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(h) Mayor Gaer indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by Vino209, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Agreement.

The Council members expressed excitement for the six projects that are receiving assistance from the City through the redevelopment incentive programs.

Vote 17-353: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(i) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$101,000,000 General Obligation Urban Renewal Bonds, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 1, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Sandager to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 17-354: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(j) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$7,100,000 General Obligation Urban Renewal Bonds, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk

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indicated the notice was published on June 1, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Messerschmidt to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 17-355: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(k) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$5,400,000 General Obligation Urban Renewal Bonds, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 1, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 17-356: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(l) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$4,000,000 General Obligation Refunding Bonds, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 1, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Messerschmidt to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 17-357: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 6(m) Mayor Gaer indicated this was the time and place for a public hearing to consider SE Waco Place/98th Street and University Avenue Traffic Signal Project, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Trimble to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Jasper Construction Services, Inc.

Vote 17-358: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(n) Mayor Gaer indicated this was the time and place for a public hearing to consider Valley View Park Tennis Courts, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 2, 2017 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Trimble to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Grimes Asphalt & Paving.

Council member Sandager noted staff solicited bids for both asphalt and post-tension concrete, and he inquired if one option is preferable.

David Sadler, Parks Superintendent, responded that asphalt prices have been gradually increasing over the past several years, so staff decided to solicit bids for the two options to see how the prices would compare. He noted post-tension concrete is considered a better product than asphalt. Only one bid was received for the post-tension concrete option, which was significantly higher than the low bid received for the asphalt option; therefore staff is recommending awarding the contract to the asphalt option low bidder.

Vote 17-359: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 7(a) Hurd Jordan Plat 2, 174 and 320 South Jordan Creek Parkway - Replat Lots 2, 3, and 4 of Hurd Jordan Plat 1 to Create Four Lots for Commercial Development, initiated by Johnson Jordan, LLC and Hurd Jordan Three

It was moved by Trimble, second by Trevillyan to adopt Resolution - Acceptance of Surety and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 17-360: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(b) Mill Ridge Plat 2, southwest corner of Stagecoach Drive and South 88th Street - Plat Property into 75 Townhome Lots, Three Outlots for Common Area, Two Outlots for Future Development, Six Outlots for Private Streets, and Two Public Street Lots, initiated by Mill Ridge Homes LLC

It was moved by Trimble, second by Messerschmidt to adopt Resolution - Acceptance of Surety and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Lynne Twedt, Development Services Director, stated the applicant is requesting a change to the proposed conditions of approval. Two paved accesses are required for any development to have building permits issued, and Stagecoach Drive has been intended to serve as the second access for this development. Due to the timing of the Stagecoach Drive project, the applicant is proposing to construct a temporary paved access from Harper Lane to Atticus Street, which would provide access for the development until Stagecoach Drive is completed. This will require the conditions of approval to be amended as follows:

1. Before any building permits will be issued for buildings within Mill Ridge Plat 2, the Final Plat must be recorded.
2. Prior to the recordation of the plat the applicant shall submit surety for the public improvements, surety for the buffer landscaping, sanitary sewer district fees, and final drawings addressing all remaining staff comments.
3. All necessary accesses, to the satisfaction of the Fire Department, shall be provided prior to issuance of any building permits for above ground construction. Occupancy of individual dwelling buildings may be restricted until such time that appropriate roadways and/or multiple accesses into the development are provided
4. All temporary access drives within this proposed plat shall be allowed to be gravel for a maximum of a 6 month period of time, constructed so that it supports 75,000lb GVW and be maintained at all times, including snow removal. Should the temporary drive be

required longer than 6 months, the drive shall be paved.

5. An approved water supply, as defined in the City of West Des Moines Fire Code, must be pass inspection prior to above ground or combustible construction.
6. The applicant acknowledging that all public improvements must be completed and accepted by the City prior to issuance of any occupancy permits, including temporary occupancy permits for any building within the plat.

Joe Pietruszynski, Hubbell Realty Company, 6900 Westown Parkway, explained that Stagecoach Drive is expected to be completed in October 2017, but the developer would prefer to begin construction on some of the homes within this development sooner than that, so they can be completed by November 2017. He noted the temporary paved access would be removed once Stagecoach Drive is completed.

Council member Trimble rescinded his original motion, and Council member Messerschmidt rescinded his second to the original motion.

It was moved by Trimble, second by Messerschmidt to adopt Resolution - Acceptance of Surety and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval as amended by the applicant's request.

Vote 17-361: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(c) Amendment to City Code - Title 8 (Building Regulations, Chapter 2 (Building Codes), Article A (Building Code), initiated by the City of West Des Moines

It was moved by Trimble, second by Messerschmidt to consider the first reading of the ordinance.

Council member Trimble expressed concerns about this proposed ordinance requiring sheetrock covering basement ceilings for new homes, whether or not the basement is finished. He noted this requirement would increase the initial cost of the home, but he questioned whether such a requirement would provide any safety benefit. He noted the City of Grimes recently adopted the same building code ordinance, but they removed the requirement for sheetrock covering basement ceilings.

Council member Trevillyan stated that the sheetrock would likely get torn out when the homeowner finishes the basement, because they would need to run electrical through the ceiling.

Rod VanGenderen, Chief Building Official, stated the Home Builders Association had expressed a preference for requiring the sheetrock covering basement ceilings as opposed to lowering the

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threshold requiring homes to have fire sprinklers. He also noted tests have shown the ceiling trusses of new construction homes fail sooner in fires than those of older homes, so the sheetrock would improve fire safety as it would buy more time before the basement ceiling (or first floor) fails.

Council member Trimble expressed doubt that this requirement would improve safety, and he expressed concerns that West Des Moines could put itself at a competitive disadvantage in the housing market if it adopts this requirement while other metro communities do not.

Council member Mickelson requested that staff provide data on how sheetrock covering basement ceilings would improve safety.

Council member Messerschmidt requested that staff provide data on the cost to install sheetrock on basement ceilings.

Council member Trevillyan suggested the first reading be continued to June 26, 2017.

Council member Trimble rescinded his original motion, and Council member Messerschmidt rescinded his second to the original motion.

It was moved by Trimble, second by Trevillyan to continue Item 7(c) Building Code to June 26, 2017.

Vote 17-362: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 8(a) Jordan Creek Business Park, Village View Drive between South 60th Street and South 64th Street - Amend the Specific Plan to Allow SIC 4225 "Self-Service Storage Facility - Interior Unit Access with no Outside Storage Yard" as a Permitted Use - Rueter & Zenor Company and Rueter Corporation - Referred to Plan and Zoning

On Item 8(b) Sue Bosworth Resignation - Human Services Advisory Board - Received and Filed

On Item 9 - Other Matters

Council member Mickelson expressed condolences on the passing of Altoona Mayor Skip Conkling.

Council member Trimble expressed concerns that the city limits in the northwest corner of West Des Moines are ambiguous to the public, as some of the businesses in that part of West Des Moines market themselves as being in Waukee.

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Mayor Gaer requested that staff install signage for vehicles entering city limits along University Avenue that would indicate they are entering West Des Moines.

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor